



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 30, 2010

Mr. Ron G. MacFarlane, Jr.
Ron G. MacFarlane, Jr., P.C.
3010 LBJ Freeway, Suite 1200
Dallas, Texas 75234

OR2010-19542

Dear Mr. MacFarland:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 404470.

The City of Cedar Hill (the "city"), which you represent, received a request for police car videos from a specified incident. You claim that the submitted information is excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You state the submitted police car audio and video recordings are excepted from disclosure under section 552.130 of the Government Code, which provides that information relating to a motor vehicle operator's license, driver's license, motor vehicle title, or registration issued by a Texas agency is excepted from public release. Gov't Code § 552.130(a)(1), (2). Portions of the first police car audio and video recording include Texas license plate numbers subject to section 552.130. You state the city lacks the technical capability to redact this information from the recording. We therefore conclude the city must withhold the first recording in its entirety under section 552.130 of the Government Code.¹ See Open Records Decision No. 364 (1983). However, we find the second recording does not contain any

¹We note this office issued Open Records Decision No. 684 (2009), a previous determination authorizing all governmental bodies to withhold ten categories of information, including a portion of any video depicting a discernible Texas license plate number under section 552.130 of the Government Code, without the necessity of requesting an attorney general decision.

Texas motor vehicle information subject to section 552.130 of the Government Code. Therefore, the second recording may not be withheld under section 552.130. As you raise no further exceptions to disclosure for this recording, it must be released.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Casterline', with a long horizontal line extending to the right.

Sarah Casterline
Assistant Attorney General
Open Records Division

SEC/eeg

Ref: ID# 404470

Enc. Submitted documents

c: Requestor
(w/o enclosures)